



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes PLANNING COMMISSION

(Col. Ret.) Kenneth Dollar, Ward 2 - Chairman
Donald Gillis, Ward 4, Vice Chairman
Ann Watkins, Ward 1
Patrick Thompson, Ward 3
Kenneth Carter, Ward 5
Bob Kinney, Ward 6
Stephen Diffley, Ward 7

Tuesday, November 1, 2011

6:00 PM

City Hall Council Chambers

Present: Stephen Diffley, Kenneth Dollar, R. W. "Bob" Kinney, Kenneth Carter, Donald Gillis, Patrick Thompson

Absent: Ann Watkins

Staff:

Brian Binzer, Development Services Director
Rusty Roth, Development Services Manager
Patsy Bryan, Secretary to the Board
Shelby Little, Urban Planner
Daniel White, City Attorney

CALL TO ORDER & ROLL CALL:

Chairman Dollar called the November 1, 2011 Planning Commission Meeting to order at 6:00 p.m.

MINUTES:

20110943 October 4, 2011 Regular Planning Commission Meeting Minutes

Review and Approval of the October 4, 2011 Planning Commission Meeting Minutes

Mr. Kinney made a motion to approve the October 4, 2011 Planning Commission Meeting Minutes, seconded by Mr. Diffley. Motion carried 6 – 0.

A motion was made by R. W. "Bob" Kinney, seconded by Stephen Diffley, that this matter be Approved and Finalized . The motion carried by the following vote:

Absent: 1 - Watkins

REZONINGS:**20110892****Z2011-15 RaceTrac Petroleum, Inc. 1400 Powder Springs Road**

Z2011-15 [REZONING] RACETRAC PETROLEUM, INC. request rezoning for property located in Land Lot 02600, District 19, Parcel 0030, 2nd Section, Marietta, Cobb County, Georgia and being known as 1400 Powder Springs Street from R-2 (Single Family Residential - 2 units/acre) to CRC (Community Retail Commercial). Ward 2.

File #20110892 (Z2011-15) was presented by Mr. Roth for property located in Land Lot 02600, District 19, Parcel 0030 and being known as 1400 Powder Springs Street for RaceTrac Petroleum, Inc.

Kevin Moore, on behalf of the applicant and owner, is requesting a rezoning from R-3 (Single Family Residential 3 units/acre) to CRC (Community Retail Commercial).

This property was annexed several years ago and is just less than 9 acres.

Mr. Moore reviewed the site plan and summarized the Letter of Stipulations dated October 27, 2011.

Mr. Moore proposed a stipulation requiring the applicant to come back to city council for site plan approval prior to any future development on the rear portion of this site.

A brief recess took place to allow for copies to be made of the Letter of Stipulations from Mr. Moore dated October 27, 2011.

At this time, Chairman Dollar called the meeting to order.

Kevin showed the proposed elevations and prototype for RaceTrac.

Several sign variances will be necessary. A variance for access onto Murray Circle and a variance for street trees will also be necessary.

Alison Lanier, a resident of 1469 Mell Court, is opposed to this rezoning request because of traffic, noise, and access onto Murray Circle.

When questioned by Mr. Diffley, Mrs. Lanier said she would not be opposed if the property were to be developed residentially.

When questioned by Mr. Thompson, Mrs. Lanier said she is concerned about RaceTrac, noise, lighting and access onto Murray Circle.

Mr. Carter and Mrs. Lanier agreed that it would be an inconvenience.

As an alternative, Mrs. Lanier suggested to Mr. Kinney either green space, office space, apartment or condo area for the property.

Dialogue between Chairman Dollar and Mrs. Lanier continued regarding distance from proposed site to Mell Court and noise.

Mr. Moore confirmed with Mr. Thompson that current construction will include stabilizing the back half of the property and part of the 40' foot undisturbed buffer will have additional plantings in order to create a more solid buffer.

Mr. Gillis reiterated that all of the buildings currently on the site be removed. Mr. Gillis questioned the elevation, retaining wall, and trees.

Mr. Kinney clarified the rendering and building design.

Mr. Gillis expressed concern about the rear property and how it will be developed. Mr. Moore is willing to stipulate that access to Murray Circle in the rear along the west property line will not be allowed.

The plans indicate that the property will be fenced.

Mr. Moore stated that the development of the rear property will more than likely not have retail due to lack of visibility; perhaps a professional office that does not require visibility could be developed there.

Mr. Gillis verified that the lighting will be shielded where light cannot extend beyond the boundary of the property.

Mr. Kinney and Mr. Moore agree that a left turn lane northeast on Powder Springs Street will be necessary; however, this is controlled by GDOT.

Chairman Dollar discussed retaining wall, detention pond, pervious surface, monitoring of property, and surveillance cameras.

Chad Baker summarized in great detail security and safety programs implemented by RaceTrac.

Fencing was discussed between Mr. Diffley and Mr. Baker.

Chairman Dollar continued asking questions regarding footprint of building, topography of land, future development of rear property, ingress and egress from Murray Circle, economic impact, community impact, traffic study, RaceTrac service vehicles, delivery times, and garbage service.

Mr. Thompson made a motion to accept the rezoning application with the stipulations provided in the Letter of Stipulations from Mr. Moore to Russell J. Roth, dated October 27, 2011, with an additional stipulation #13 which is no access to Murray Circle in the rear of the property would be granted in the future.

Mr. Gillis made a friendly amendment adding the following stipulations: all existing buildings and sheds will be removed; the entire site will be graded at the start of work; planting on buffer where suitable vegetation currently does not exist, Mr. Thompson agreed to the additional stipulations, seconded by Mr. Kinney. Motion carried 6 – 0.

A motion was made by Patrick Thompson, seconded by R. W. "Bob" Kinney, that this matter be Recommended for Approval as Stipulated . The motion carried by the following vote:

Absent: 1 - Watkins

ADJOURNMENT: